

1 H.470

2 An act relating to miscellaneous amendments to alcoholic beverage laws

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. 7 V.S.A. § 2 is amended to read:

5 § 2. DEFINITIONS

6 As used in this title:

7 * * *

8 (44) ~~“Cider”~~ “Hard cider” means a vinous beverage, made a majority
9 from the fermented natural sugar content of apples or pears, that contains an
10 alcoholic content of not less than one percent or more than 16 percent by
11 volume at 60 degrees Fahrenheit. ~~“Cider”~~ “Hard cider” includes sweetened,
12 flavored, and carbonated hard cider.

13 Sec. 2. 7 V.S.A. § 204 is amended to read:

14 § 204. APPLICATION AND RENEWAL FEES FOR LICENSES AND
15 PERMITS; DISPOSITION OF FEES

16 (a) The following fees shall be paid when applying for a new license or
17 permit or to renew a license or permit:

18 * * *

19 (9) For ~~up to ten~~ each fourth-class ~~licenses~~ license, \$70.00.

20 * * *

21 (12) For a ~~festival~~ sampling event permit, \$125.00.

22 * * *

1 (2) at least 15 days prior to the event, the applicant submits an
2 application to the Division in a form required by the Commissioner that
3 ~~includes a list of the alcoholic beverages to be acquired for sampling at the~~
4 ~~event and~~ is accompanied by the fee provided in section 204 of this title.

5 ~~(b)(1) An educational sampling~~ A limited event permit holder ~~is permitted~~
6 ~~to conduct an event that is open to the public at which~~ may purchase invoiced
7 volumes of malt beverages, vinous beverages, ready-to-drink spirits beverages,
8 fortified wines, or spirits, or all five ~~are served only for the purposes of~~
9 ~~marketing and educational sampling, directly from a manufacturer, packager,~~
10 wholesale dealer, or importer licensed in Vermont or a manufacturer or
11 packager that holds a federal Basic Permit or Brewer's Notice or evidence of
12 licensure in a foreign country that is satisfactory to the Board.

13 (2) The invoiced volumes of alcoholic beverages may be transported
14 into the site and sold by the glass to the public by the permit holder or the
15 permit holder's employees and volunteers only during the event.

16 ~~(c)(1) No~~ Not more than four ~~educational sampling~~ limited event permits
17 shall be issued annually to the same person-, and

18 ~~(2) An educational sampling event~~ each permit shall be valid for ~~no~~ not
19 more than four consecutive days.

20 (d) The permit holder shall ~~ensure all the following:~~

1 ~~(1) Attendees at the educational sampling event shall be required to pay~~
2 ~~an entry fee of not less than \$5.00.~~

3 ~~(2)(A) Malt beverages, vinous beverages, or ready to drink spirits~~
4 ~~beverages for sampling shall be offered in glasses that contain not more than~~
5 ~~two ounces of either beverage.~~

6 ~~(B) Fortified wines and spirits for sampling shall be offered in glasses~~
7 ~~that contain no more than one quarter ounce of either beverage.~~

8 ~~(3) The event shall be conducted in compliance with all the requirements~~
9 ~~be subject to the provisions of this title, including section 214 of this title, and~~
10 ~~the rules of the Board regarding the sale of alcoholic beverages. The permit~~
11 ~~holder shall pay the tax on the alcoholic beverages served at the event pursuant~~
12 ~~to section 421 of this title.~~

13 ~~(e) An educational sampling event permit holder:~~

14 ~~(1) may receive shipments directly from a manufacturer, packager,~~
15 ~~certificate of approval holder, wholesale dealer, or importer licensed in~~
16 ~~Vermont or that provides evidence of licensure in another state or foreign~~
17 ~~country satisfactory to the Board;~~

18 ~~(2) may transport alcoholic beverages to the event site, and those~~
19 ~~beverages may be served at the event by the permit holder or the holder's~~
20 ~~employees, volunteers, or representatives of a manufacturer, packager, or~~

1 importer participating in the event, provided they meet the server age and
2 training requirements under section 259 of this chapter; and

3 (3) shall mark all cases and bottles of alcoholic beverages to be served at
4 the event "For sampling only. Not for resale."

5 (f) Taxes for the alcoholic beverages served at the event shall be paid as
6 follows:

7 (1) malt beverages:

8 (A) ~~\$0.265 per gallon of malt beverages served that contain not more~~
9 ~~than six percent alcohol by volume at 60 degrees Fahrenheit; and~~

10 (B) ~~\$0.55 per gallon of malt beverages served that contain more than~~
11 ~~six percent alcohol by volume at 60 degrees Fahrenheit;~~

12 (2) vinous beverages: ~~\$0.55 per gallon served;~~

13 (3) spirits: ~~\$19.80 per gallon served;~~

14 (4) fortified wines: ~~\$19.80 per gallon served; and~~

15 (5) ready-to-drink spirits beverages: ~~\$1.10 per gallon served.~~

16 Sec. 6. 7 V.S.A. § 253 is amended to read:

17 § 253. ~~FESTIVAL~~ SAMPLING EVENT PERMITS

18 (a) The Division of Liquor Control may grant a ~~festival~~ sampling event
19 permit if the applicant has:

20 * * *

1 wines, or spirits are mutually sampled shall not be served more than a
2 combined total of six U.S. standard drinks containing 3.6 fluid ounces or 84
3 grams of pure ethyl alcohol.

4 * * *

5 (e)(1) A ~~festival~~ sampling event permit holder may purchase invoiced
6 volumes of malt beverages, vinous beverages, or ready-to-drink spirits
7 beverages directly from a manufacturer or packager licensed in Vermont or a
8 manufacturer or packager that holds a federal Basic Permit or Brewers Notice
9 or evidence of licensure in a foreign country that is satisfactory to the Board.

10 * * *

11 (f) A ~~festival~~ sampling event permit holder shall be subject to the
12 provisions of this title, including section 214 of this title, and the rules of the
13 Board regarding the sale of the alcoholic beverages and shall pay the tax on the
14 malt beverages, vinous beverages, or ready-to-drink spirits beverages pursuant
15 to section 421 of this title.

16 (g) A person shall be granted not more than four ~~festival~~ sampling event
17 permits per year, and each permit shall be valid for not more than four
18 consecutive days.

1 On or before January 15, 2025, the Department of Liquor and Lottery, in
2 consultation with other stakeholders, shall study and report on the public safety
3 impacts of the sale of alcoholic beverages for off-premises consumption since
4 the passage of 7 V.S.A. § 230. The Department shall submit the written report
5 to the House Committee on Government Operations and Military Affairs and
6 the Senate Committee on Economic Development, Housing and General
7 Affairs. The Department shall include with its findings any recommendations
8 for legislative action.

9 Sec. 10. EFFECTIVE DATES

10 (a) This section and Sec. 8 (extension of sunset; 7 V.S.A. 230) shall take
11 effect on passage.

12 (b) All other sections shall take effect on July 1, 2023.